

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

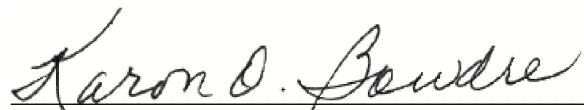
SAM MILLER III,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:07-cv-2053-KOB-TMP
)	
SHERIFF LARRY AMERSON, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on December 15, 2008, recommending that this action be dismissed as frivolous and for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). The plaintiff was advised that he may file specific written objections within fifteen (15) days. No objections have been filed.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court is of the opinion that the magistrate judge's report is due to be and hereby is ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed as frivolous and for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b)(1). A Final Judgment will be entered.

DONE and ORDERED this 26th day of January 2009.


KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE